



Rec'd POT/PTO 23 SEP 2002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	El-Sherbeini et al.
Serial No.:	10/070,778 - Case No.: 20194P
Filed:	March 7, 2002
For:	MURF GENE AND ENZYME OF PSEUDOMONAS AEURGINOSA

Art Unit:

Examiner:

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO COMPLY WITH SEQUENCE REQUIREMENT

Sir:

The following statements are made as required by 37 C.F.R. §1.821(f).

I hereby state that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821(c) and (e), respectively, are the same and contain no new matter.

Respectfully submitted,

By Yang Xu
Yang Xu
Reg. No. 45,243
Attorney for Applicant

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date appearing below.

MERCK & CO., INC.
By Linda A. Hudak 9/19/02

MERCK & CO., INC.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-1307

Date: September 19, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/070,778	Mohamed El-Sherbeini	20194P

INTERNATIONAL APPLICATION NO.

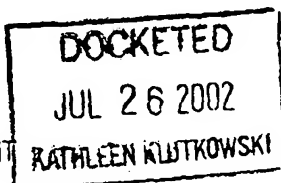
PCT/US00/24437

I.A. FILING DATE	PRIORITY DATE
09/06/2000	09/10/1999

 Merck & CO INC
 Patent Department RY60-30
 P O Box 2000
 Rahway, NJ 07065-0970

PATENT DEPARTMENT

JUL 29 2002

 Date Mailed: 07/19/2002
 M.D. YABLONSKY


CONFIRMATION NO. 9665

371 FORMALITIES LETTER



OC00000008381701

*Sequence Requirement
 & Additional
 Claims Fee Due By
 9-19-02*

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

The following items **MUST** be furnished within the period set forth below:

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
 - Additional claim fees of \$84 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$84 for a Large Entity:

- Total additional claim fee(s) for this application is \$84
 - \$84 for 2 independent claims over 3.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

09/26/2002 SHAJAKRO 00000067 132755 10070778

FRANCINE YOUNG

01 FC:964 84.00 CH

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/070,778	PCT/US00/24437	20194P

FEE TRANSMITTAL

SEP 23 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$84

Complete if Known

Application Number	10/070,778
Filing Date	March 7, 2002
First Named Inventor	M. El-Sherbeini et al.
Examiner Name	TO BE ASSIGNED
Group Art Unit	TO BE ASSIGNED
Attorney Docket Number	20194P

METHOD OF PAYMENT (Check one)

☒ Deposit AccountDeposit Account
Number

13-2755

Deposit Account
Name

Merck & Co., Inc.

The Commissioner is authorized to:

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	Utility filing fee	
106	330	Design filing fee	
108	740	Reissue filing fee	
114	160	Provisional filing fee	
SUBTOTAL(1)			\$0

2. EXTRA CLAIM FEES

	Extra	Fee from below	Fee Paid
Total Claims	20	0	0
Independent Claims	4	1	84
Multiple Dependent Claims		280	

**or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Fee Description
103	18	Claims in excess of 20
102	84	Independent claims in excess of 3
104	280	Multiple dependent claim, if not paid
109	84	**Reissue independent claims over original patent
110	18	**Reissue claims in excess of 20 and over original patent

SUBTOTAL(2) \$84

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	
147	2,520	For filing a request for <i>ex parte</i> reexamination	
115	110	Extension for reply within first month	
116	400	Extension for reply within second month	
117	920	Extension for reply within third month	
118	1,440	Extension for reply within fourth month	
128	1,960	Extension for reply within fifth month	
119	320	Notice of Appeal	
120	320	Filing a brief in support of an appeal	
121	280	Request for oral hearing	
140	110	Petition to revive - unavoidable	
141	1,280	Petition to revive - unintentional	
142	1,280	Utility issue fee (or reissue)	
143	460	Design issue fee	
122	130	Petitions to the Commissioner	
123	50	Processing fee under 37 CFR 1.17(q)	
126	180	Submission of Information Disclosure Statement	
581	40	Recording each patent assignment per property (times number of properties)	
146	740	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	Request for Continued Examination (RCE)	
Other fee (specify)			
Other fee (specify)			
SUBTOTAL(3)			\$0

SUBMITTED BY

Typed or Printed
Name

YANG XU

Signature

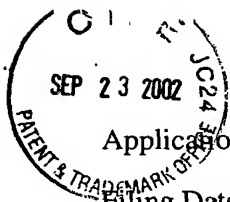
Date

09/19/2002

Complete (if applicable)

Reg. Number 45,243

Deposit
Account
User ID



Rec'd PTO 23 SEP 2002

Application Number: 10/070,778
Filing Date: 03/07/2002
First Named Inventor: M. El-Sherbeini et al.
Group Art Unit: TO BE ASSIGNED
Examiner Name: TO BE ASSIGNED
Attorney Docket Number: 20194P

FIRST CLASS MAIL CERTIFICATE

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE APPEARING BELOW.

MERCK & CO., INC.

MAILED BY Linda A Hudak DATE Sept 19, 2002